

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

United States of America

v.

ROBERT MCKELLER

Date of Previous Judgment: 2/26/01
(Use Date of Last Amended Judgment if Applicable)

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Case No: 99-80714-2

USM No: 26893-039

Rita Chastang

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 100 months is **reduced to** 80 MONTHS (OR TIME SERVED).

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33

Amended Offense Level: 31

Criminal History Category: II

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Previous Guideline Range: 151 to 188 months

Amended Guideline Range: 121 to 151 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 2/26/01 shall remain in effect.

IT IS SO ORDERED.

Order Date: May 1, 2008



Judge's signature

Effective Date: _____
(if different from order date)

Paul D. Borman, U.S. District Judge
Printed name and title